

## Message Text

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ACTION L-03

INFO OCT-01 ARA-14 ISO-00 OPR-02 JUSE-00 CA-01 /021 W  
-----051877 252037Z /75

P 252025Z APR 78  
FM AMEMBASSY MEXICO  
TO SECSTATE WASHDC PRIORITY 9769

UNCLAS MEXICO 06794

E. O. 11652: N/A  
TAGS: CPRS, US, MX  
SUBJECT: EXTRADITION TREATY NEGOTIATIONS-MEXICO

REF: MEXICO 6641; 6445

FOR L AND OPR/LS AND JUSTICE

1. FOLLOWING SHOULD BE FINAL AMENDMENTS TO TEXT AS  
SENT REFTELS. CHARGES WERE NEGOTIATED APRIL 25,  
1978 BY UNDERSECRETARY ROSENZWEIG DIAZ AND LEGAL  
ADVISER GAITHER. SCHEDULE OF OFFENSES IS NOW BEING  
NEGOTIATED AND WILL BE SENT UPON COMPLETION.

2. ENGLISH TEXT

(A) ARTICLE 2 PARA (1) SUBSTITUTE "WILFULL" FOR  
"INTENTIONAL". INSERT "MAXIMUM" BETWEEN "WHICH" AND  
"SHALL" IN FINAL CLAUSE.

PARA (3) IS REVISED AS FOLLOWS:

(3) EXTRADITION SHALL ALSO BE GRANTED FOR WILFULL ACTS  
WHICH, ALTHOUGH NOT BEING INCLUDED IN THE APPENDIX,  
ARE PUNISHABLE, IN ACCORDANCE WITH THE FEDERAL LAWS  
OF BOTH CONTRACTING PARTIES, BY A DEPRIVATION OF LIBERTY  
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WHICH MAXIMUM SHALL NOT BE LESS THAN ONE YEAR.

(B) ARTICLE 11 PARA (1): AFTER PHRASE "PERSON SOUGHT",  
INSERT "AND HIS WHEREABOUTS". PARA (3) "45" HAS  
BEEN CHANGED TO "60" AND THE SECOND SENTENCE OF THIS  
PARA HAS BEEN DELETED.

(C) ARTICLE 13 HAS BEEN REVISED TO READ AS FOLLOWS:

ARTICLE 13 - PROCEDURE - (1) THE REQUEST FOR EXTRADITION SHALL BE PROCESSED IN ACCORDANCE WITH THE LEGISLATION OF THE REQUESTED PARTY.

(2) THE REQUESTED PARTY SHALL MAKE ALL ARRANGEMENTS NECESSARY FOR INTERNAL PROCEDURES ARISING OUT OF THE REQUEST FOR EXTRADITION.

(3) THE COMPETENT LEGAL AUTHORITIES OF THE REQUESTING PARTY SHALL BE AUTHORIZED TO EMPLOY ALL LEGAL MEANS WITHIN THEIR POWER TO OBTAIN THE APPROPRIATE DECISIONS FOR THE EXAMINATION AND, AS APPLICABLE, RESOLUTION OF THE REQUEST FOR EXTRADITION.

(D) ARTICLE 18, HEADING "WAIVER OF EXTRADITION" HAS BEEN CHANGED TO "SUMMARY EXTRADITION".

(E) ARTICLE 20 PARA 2: CHANGE "PARTY OF TRANSIT" TO "TRANSIT STATE". PARA 3: AMEND "THE PARTY THROUGH WHOSE..." TO READ "THE STATE THROUGH WHOSE".

(F) ARTICLE 21 HAS BEEN REVISED TO READ AS FOLLOWS:

ARTICLE 21 - EXPENSES - THE REQUESTED PARTY SHALL BEAR THE EXPENSES OF THE ARRANGEMENTS REFERRED TO IN ARTICLE UNCLASSIFIED

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13, WITH THE EXCEPTION THAT THE EXPENSES INCURRED FOR THE TRANSLATION OF DOCUMENTS AND, IF APPLICABLE, FOR THE TRANSPORTATION OF THE PERSON ORDERED EXTRADITED SHALL BE PAID BY THE REQUESTING PARTY.

(G) THE FINAL CLAUSE OF TREATY READS AS FOLLOWS:

"DONE IN TWO ORIGINALS, IN THE ENGLISH AND SPANISH LANGUAGES, BOTH EQUALLY AUTHENTIC, AT MEXICO CITY THIS FOURTH DAY OF MAY, ONE THOUSAND NINE HUNDRED SEVENTY-EIGHT. FOR THE UNITED STATES OF AMERICA---"  
FOR THE UNITED MEXICAN STATES:---"

### 3. SPANISH TEXT

(A) ARTICLE 2 PARA (3) HAS BEEN AMENDED TO READ AS FOLLOWS:

3. DARAN TAMBIEN LUGAR A LA EXTRADICION LAS CONDUCTAS INTENCIONALES QUE, SIN ESTAR INCLUIDAS EN EL APENDICE, SEAN PUNIBLES, CONFORME A LAS LEYES FEDERALES DE AMBAS PARTES CONTRATANTES, CON UNA PENA DE PRIVACION DE LA LIBERTAD CUYO MAXIMO NO SEA MENOR DE UN AÑO.

(B) ARTICLE 5 SECOND PARA OF PARA 1: AMEND "CONTROVERSIA"  
TO READ "CUESTION".

4. IN LIGHT OF EFFORT BY GOM AND EMBASSY TO COMPLETE  
TEXT OF TREATY BY WEDNESDAY, APRIL 26, EMBASSY WOULD  
APPRECIATE ANY CHANGES OR SUGGESTIONS BEING TELEPHONED  
TO EMBASSY LEGAL ADVISER BY COB WASHINGTON APRIL

26. LUCEY

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TEXT, EXTRADITION AGREEMENTS, NEGOTIATIONS, AMENDMENTS  
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**Copy:** SINGLE  
**Draft Date:** 25 apr 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
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**Disposition Approved on Date:**  
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**Disposition Comment:**  
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**TAGS:** CPRS, PDIP, US, MX  
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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
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